



**TOWN OF HARPSWELL
PLANNING BOARD STAFF REVIEW COMMITTEE
Minutes of April 2, 2014**

STAFF REVIEW COMMITTEE

David Chipman, Planning Board Chair
Jason Marshall, Code Enforcement Officer

STAFF PRESENT

Diane Plourde, Recording Secretary

ABSENT

Carol Eyerman, Town Planner

The Planning Board's Staff Review Committee ("the Committee") meeting, being duly advertised in the Brunswick *Times Record*, was called to order at 1:00 PM by David I. Chipman, Planning Board Chair.

ITEM 1

14-04-01SR – FRED CANTU (APPLICANT), TOWN OF HARPSWELL (OWNER) MAP 42 LOT 70, 21 COMMUNITY DRIVE HARPSWELL – SITE PLAN AMENDMENT

Mr. Cantu addressed the Committee noting the application is for a 4 x 6 (24 square foot) portable shed to be used by a transfer station attendant during the winter months for weather protection. The shed will have vinyl siding, one window, asphalt shingles on the roof and will be moveable by using a fork lift.

Public Comments: None

Exhibit A – Site Plan Review Ordinance Approval Standards and Criteria

Under Section 15.1 Dimensional Requirements of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does meet the dimensional requirements of the Basic Land Use Ordinance and/or Shoreland Zoning Ordinance, as applicable, based on the following evidence: *The Code Enforcement Officer found in his review on April 2, 2014 that the dimensional requirements have been met.* **Approved 2-0**

Under Section 15.2 Utilization of the Site of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does reflect that the natural capabilities of the site support the development, and that environmentally sensitive areas and natural drainage areas will be preserved and protected to the maximum extent, based on the following evidence: *The proposed construction, as shown on the site plan, is located in the least sensitive area of the parcel. It is also outside of the shoreland zone and the resource protection buffer for the wetland.* **Approved 2-0**

Under Section 15.3 Adequacy of Road System of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that vehicular access to the site will be on roads with adequate capacity and Level of Service for the development, or that the applicant has demonstrated that necessary improvements will be accomplished, based on the following evidence: *The applicant stated in the application that the number of peak trips will not be more than 100 and that the traffic that is already occurring. The existing road system (Mountain Road) is adequate and safe to handle the current and proposed traffic.* **Approved 2-0**

Under Section 15.4 Access into the Site of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that vehicular access to and from the site is safe and convenient and meets the eight (8) driveway and access ways standards of Section 15.4, based on the following evidence: The existing driveway is located so that it provides the minimum sight distance required by Maine Department of Transportation (DOT) and is located to avoid hazardous conflicts with traffic flow. There is not more than one two-way access road leading from the Recycling Center to Mountain Road. Approved 2-0

Under Section 15.5 Access/Egress Way Location and Spacing of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that the proposed entrances and exits and private access ways will be appropriately sited in conformance to Section 15.5, based on the following evidence: The existing driveway, as shown on the site plan, is more than 50 feet from the closest unsignalized intersection and more 150 feet from a signalized intersection. Approved 2-0

Under Section 15.6 Internal Vehicular Circulation of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that the site provides for safe movement of passenger, service, and emergency vehicles through the site and within parking lots, and provides for pedestrian and cyclist safety, based on the following evidence: The site plan shows an existing 50 foot wide span to allow for vehicle turning and backing. The layout of the parking is safe and convenient for pedestrians and vehicles. Approved 2-0

Under Section 15.7 Parking/Layout and Design of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does provide for adequate vehicular parking spaces, and any off-road parking conforms to the six (6) layout and design standards of Section 15.7.2, based on the following evidence: The existing parking is sufficient and this additional structure will not require additional vehicle parking. The parking area is arranged so that vehicles do not back into a road. The parking is located further than 20 feet from side and rear lot lines and 10 feet from the front property line. Approved 2-0

Under Section 15.8 Pedestrian Circulation of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does provide a system of pedestrian ways appropriate to the type and scale of the development, based on the following evidence: The site plan shows the existing parking lot connected to the building so that pedestrians have easy and safe access. Approved 2-0

Under Section 15.9 Stormwater Management of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that adequate provision is made for the collection and disposal of stormwater runoff with no adverse impact on abutting or downstream properties, and that negative impacts from both the quantity and quality of the storm water has been adequately managed in compliance with seven (7) stormwater management standards of Section 15.9, based on the following evidence: There is no proposed stormwater management proposed for this building because of its portable nature and the location is currently paved with existing stormwater management in place. Approved 2-0

Under Section 15.10 Erosion Control of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that this section does not apply.

Approved 2-0

Under Section 15.11 Water Supply and Groundwater Protection of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that the development will be served by an adequate water supply and that the quantity or quality of groundwater of abutting properties will not be negatively impacted, based on the following evidence: The water supply exists and is adequate for the current use. A waiver is granted for this water supply. **Approved 2-0**

Under Section 15.12 Subsurface Waste Disposal of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that any subsurface sewage disposal system(s) will be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules, in conformance with any applicable requirements of Sections 15.12.1-15.12.6, and in such a way as to minimize adverse impacts on groundwater quality, based on the following evidence: A waiver is granted for this section. **Approved 2-0**

Under Section 15.13 Utilities and Essential Services of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that, where feasible, utilities and essential services will be installed in existing public ways or service corridors, and above-ground facilities will be located so as to avoid crossing open areas and scenic views as identified in the Comprehensive Plan, based on the following evidence: Utilities are not proposed for this structure; a waiver was granted from this requirement. **Approved 2-0**

Under Section 15.14 Natural Features and Buffering of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that A) the project does demonstrate that the landscape is preserved in its natural state insofar as practical, based on the following evidence: The site plan shows no disturbance to the existing surrounding trees or landscape. The proposed location is currently gravel and pavement. **Approved 2-0**

David Chipman moved seconded by Jason Marshall that B) the project does demonstrate that there are sufficient setbacks and screening of exposed storage areas, articles of salvage or refuse, etc. on the site, based on the following evidence: The site plan shows woods surrounding the existing site. The proposed building is audibly and visually buffered by natural features along Strawberry Creek and the topography of the surrounding area. **Approved 2-0**

Under Section 15.15 Lighting of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project demonstrates that the development's exterior lighting does not create undue hazards to motorists, is safe for the occupants and users of the site, and does not damage the value or diminish the usability of adjacent properties, based on the following evidence: The proposed building will not have any external lighting. Therefore, a waiver was granted from this requirement. **Approved 2-0**

Under Section 15.16 Water Quality Protection of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that this section does not apply.

Approved 2-0

David Chipman moved seconded by Jason Marshall that this section does not apply since it is not within a watershed of a “body of water most at risk.” Approved 2-0

Under Section 15.17 Hazardous, Special and Radioactive Materials of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that this section does not apply.

Approved 2-0

Under Section 15.18 Solid, Special and Hazardous Waste Disposal of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that this section does not apply.

Approved 2-0

Under Section 15.19 Historic and Archaeological Resources of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that the development is designed to protect and preserve archaeological and historic sites identified by the Planning Board, based on the following evidence: The historic and archaeological resources were reviewed; the proposed building is not located in a known resource area and there will be no historic properties affected. Approved 2-0

Under Section 15.20 Floodplain Management of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the project does demonstrate that all use and development of portions of the site within a special flood hazard area are consistent with the Town’s Floodplain Management Ordinance, based on the following evidence: Based on the CEO review of the application, the proposed building is not located in an identified FEMA flood hazard area. Approved 2-0

Under Section 15.21 Technical and Financial Capacity of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that the applicant has demonstrated the financial and technical capacity to carry out the development in accordance with this Ordinance and the approved plan, based on the following evidence: Town Meeting approved sufficient capital finds on March 15, 2014 to cover the cost of this project. Contractors will be utilized to perform construction. Approved 2-0

Under Section 15.22 Additional Standards for the Mitchell Field Marine Business District of the Site Plan Review Ordinance:

David Chipman moved seconded by Jason Marshall that this section does not apply.

Approved 2-0

Conclusions of Law:

David Chipman moved seconded by Jason Marshall that the Staff Review Committee finds that the application is complete. Approved 2-0

David Chipman moved seconded by Jason Marshall that the applicant, Town of Harpswell, has met the standards of the Town of Harpswell Site Plan Review Ordinance. The Staff Review Committee voted to approve the site plan with the following standard conditions of approval:

1. This approval is not final until such time as final plans, showing all conditions of approval and any waivers granted, have been signed by the Planning Board.
2. This approval is based on the approved plans listed below, and on all submissions and information provided by the applicant at final approval, whether referenced in any findings or conditions of approval.
All work shall be completed in conformance with the approved plans submitted by, Revision Energy, dated August 2012.
3. This approval is dependent upon and limited to the proposal and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plan, proposals, and supporting documents, except *de minimis* changes as determined by the Town Planner that do not affect approval standards, is subject to the review and approval of the Planning Board prior to implementation.
4. If necessary, no work shall be started until the applicant has established a performance guarantee acceptable to the Planning Board.
5. The applicant shall obtain all necessary State and federal approvals before the applicant commences any land use activity pursuant to this site plan approval. If a State or federal agency imposes any more stringent conditions on the applicant or if the other agency's conditions of approval in any way impact the substantive site plan review criteria, the applicant shall return to the Planning Board for review and approval of an amended application.
6. All work shall be completed in accordance with Best Management Practices for Soil Erosion and Sedimentation Control.
7. All work shall be completed in accordance with Section 15.16 of the Shoreland Zoning Ordinance.

Approved 2-0

The Chair adjourned the meeting at 1:30 PM

Respectfully Submitted,

Diane E. Plourde
Recording Secretary